

IN THE CLAIMS:

The claims have been amended as follows:

Please cancel claims 5-9, 12-28, 33-37 and 40-56.

Please amend claims 1, 11, 29 and 39.

Please add new claims 57-62

1. (Currently Amended) ~~Method~~ A method, comprising the steps of:

determining that a ~~radio uplink channel power fluctuation of~~ a predetermined parameter related to a radio uplink channel transmission exists, and

changing a spreading factor used for uplink channel spreading to counteract said ~~power fluctuation~~ in order to keep a predetermined parameter related to said fluctuation in a predetermined range, defined by a low value and a high value, by increasing or decreasing said spreading factor.

2. (Canceled)

3. (Canceled)

4. (Original) The method of claim 1, wherein said step of determining is carried out in a radio network and wherein said method further comprises the step of sending a spreading factor control signal from said network to a mobile station followed by said mobile station carrying out said step of changing said spreading factor.

5. (Canceled)

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Original) The method of claim 1, wherein said step of determining further comprises the step of determining a frame or block error rate of said radio uplink channel and wherein said step of changing the spreading factor is carried out only if said frame or block error rate meets a selected criterion.

11. (Currently Amended) The method of claim 1, wherein said step of determining comprises the step of detecting in a radio network said ~~radio uplink channel power~~ fluctuation in said radio uplink channel from a mobile station to said network, and wherein said method further comprises the step of transmitting a transmit power control (TPC) signal from said network to said mobile station commanding a change in ~~transmit power~~ said spreading factor to counteract said ~~power~~ fluctuation.

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Canceled)

21. (Canceled)

22. (Canceled)

23. (Canceled)

24. (Canceled)

25. (Canceled)

26. (Canceled)

27. (Canceled)

28. (Canceled)

29. (Currently Amended) ~~Apparatus~~ An apparatus, comprising:

means for determining that a ~~radio uplink channel power~~
fluctuation of a predetermined parameter related to a radio
uplink channel transmission exists, and

means for changing a spreading factor used for uplink
channel spreading to counteract said ~~power fluctuation in order~~
to keep a predetermined parameter related to said fluctuation in

a predetermined range, defined by a low value and a high value, by increasing or decreasing said spreading factor.

30. (Canceled)

31. (Canceled)

32. (Original) The apparatus of claim 29, wherein means for determining is located in a radio network and wherein said apparatus further comprises means for sending a spreading factor control signal from said network to a mobile station to means (88) for deciding a change in spreading factor.

33. (Canceled)

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Original) The apparatus of claim 29, wherein said step of determining further comprises means for determining a frame or block error rate of said radio uplink channel and wherein said means for changing the spreading factor changes the spreading factor only if said frame or block error rate meets a selected criterion.

39. (Currently Amended) The apparatus of claim 29, wherein said step of determining comprises the step of detecting in a radio network said ~~radio uplink channel power fluctuation~~ in said radio |

uplink channel from a mobile station to said network, and wherein said method further comprises the step of transmitting a transmit power control (TPC) signal from said network to said mobile station commanding a change in ~~transmit power~~said spreading factor to counteract said ~~power~~ fluctuation.

40. (Canceled)

41. (Canceled)

42. (Canceled)

43. (Canceled)

44. (Canceled)

45. (Canceled)

46. (Canceled)

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51. (Canceled)

52. (Canceled)

53. (Canceled)

54. (Canceled)

55. (Canceled)

56. (Canceled)

57. (New) The method of claim 1, wherein the low value and the high value are equal.

58. (New) The method of claim 1, wherein the predetermined parameter is a signal-to-interference ratio.

59. (New) The method of claim 58, wherein the low value of the signal-to-interference ratio equals to the high value of said signal-to-interference ratio.

60. (New) The method of claim 29, wherein the low value and the high value are equal.

61. (New) The apparatus of claim 29, wherein the predetermined parameter is a signal-to-interference ratio.

62. (New) The apparatus of claim 61, wherein the low value of the signal-to-interference ratio equals to the high value of said signal-to-noise interference.